

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

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No. 6:19-cv-00517

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**Roxanne Joganik et al.,**  
*Plaintiffs,*

v.

**East Texas Medical Center et al.,**  
*Defendants.*

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**ORDER**

Plaintiffs Roxanne Joganik and Darlina Anthony, proceeding pro se and *in forma pauperis*, filed this action alleging violations of their civil rights and various federal statutes in connection with their use of defendant's facilities. Doc. 1. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b). Doc. 3.

Plaintiffs filed a motion for judgment as a matter of law (Doc. 68), a motion for hearing on judgment as a matter of law (Doc. 82), and a motion for summary judgment (Doc. 88). On December 16, 2021, the magistrate judge issued a report recommending that plaintiffs' motion for judgment as a matter of law and motion for summary judgment be denied, and that plaintiffs' motion for hearing on judgment as a matter of law be denied as moot. Doc. 93. Plaintiffs timely filed a motion to amend, construed as written objections, stating that plaintiffs are entitled to summary judgment or judgment as a matter of law. Doc. 94.

The court reviews objected-to portions of the report and recommendation de novo. Fed. R. Civ. P. § 72; 28 U.S.C. § 636(b)(1). The magistrate judge recommended denying plaintiffs' motions because plaintiffs failed to meet their burden for judgment as a matter of law or for summary judgment. Doc. 93. In their objections, plaintiffs reiterate the same arguments made in their motions. Doc. 94.

Having reviewed the magistrate judge's report de novo, and being satisfied that it contains no error, the court overrules plaintiff's

objections (Doc. 94) as meritless and accepts the report's findings and recommendation. Plaintiffs' motion for judgment as a matter of law (Doc. 68) and motion for summary judgment (Doc. 88) are denied. Plaintiffs' motion for hearing on judgment as a matter of law (Doc. 82) is denied as moot.

*So ordered by the court on January 25, 2022.*

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER  
United States District Judge